

The meeting was televised by Amherst Community Television.

The Annual Town Meeting was called to order by the Moderator, Francesca Maltese at 7:39 p.m. There were 257 town meeting members; 129 checked in and a quorum was declared. The call and return of the warrant were read by Assistant Town Clerk, Margaret Z. Nartowicz. Kenneth Mosakowski, Paul Filios, Hill Boss, Barry O'Connell, Deborah Lawrence-Riddell and Ann Grose were sworn as tellers.

On April 26, 1993 Articles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and the General Government motion under Article 11 were considered. Action was taken on Articles 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10.

ARTICLE 1. Voted unanimously that the Town hear only those reports of the Town officers, Finance Committee, and any other Town boards or committees which are not available in written form.

Action taken on 4/26/93.

ARTICLE 2. Voted unanimously the following resolution:

WHEREAS, the Massachusetts Lottery was established 21 years ago for the exclusive purpose of providing cities and towns with an additional revenue source to support local services and to reduce property taxes; and

WHEREAS, for the past several years, the state has subverted the statutory intent of the Lottery by diverting large portions of Lottery revenues away from cities and towns and into the state's general fund; and

WHEREAS, although an amendment to the state budget allowed cities and towns to receive the estimated \$23 million growth in Lottery revenues for FY93, the actual growth in Lottery revenues will be \$41 million, thereby leaving cities and towns with a Lottery shortfall of \$18 million; and

WHEREAS the FY94 budget submitted by Governor Weld proposes a return to the practice of capping the Lottery and not giving cities and towns their rightful increase of Lottery revenues; and

WHEREAS the Massachusetts Municipal Association will offer a budget amendment to guarantee that cities and towns receive the full growth of Lottery revenues in FY94;

NOW THEREFORE BE IT RESOLVED that the Town instruct Senator Stanley Rosenberg and Representative Ellen Story to support an amendment to the FY94 state budget to guarantee that cities and towns receive the full \$47 million growth in Lottery revenues.

Action taken on 4/26/93.

ARTICLE 3. Voted unanimously the following resolution:

WHEREAS state law requires that 15 percent of gas tax collections be distributed to cities and towns, with half of this amount earmarked for Chapter 90 roadway construction and repair; and

WHEREAS the state has failed over the past several years to meet its commitments to share with cities and towns state gasoline tax collections; and

WHEREAS the current outlook for next year is for cities and towns to receive only 7.5 percent of gas tax collections; and

WHEREAS, The Gas Tax Revenue Sharing Act legislation filed by the Massachusetts Municipal Association for consideration in the 1993 legislative session would create a new state fund called the Local Roads Fund to which an amount of tax collections equivalent to 10 cents of the 21 cent gas tax rate would be credited to the fund and could be used only for distributions by the State Treasurer to cities and towns for appropriation for local road construction and maintenance programs;

NOW THEREFORE BE IT RESOLVED THAT the Town instruct Senator Stanley Rosenberg and Representative Ellen Story to support legislation that would establish in state law a Local Roads Fund in order to ensure a fair and predictable share of state gas tax collections for distribution to cities and towns for use on local roads.

Action taken on 4/26/93.

ARTICLE 4. Votedunanimously that the Town instruct Senator Stanley Rosenberg and Representative Ellen Story to oppose any education reform bill which would have the effect of requiring the transfer of local tax funds from municipal and library services to public education in the coming or any subsequent year. This resolution should not be construed as opposition by Town Meeting to so called "earmarking" of school aid.

Action taken on 4/26/93.

ARTICLE 5. Voted unanimously that the Town appropriate and transfer \$1,764.90 from Free Cash in the Unreserved Fund Balance of the General Fund to pay unpaid bills of the previous fiscal years.

Action taken on 4/26/93.

ARTICLE 6. Voted unanimously that the Town authorize the Town Treasurer to borrow money from time to time in anticipation of the revenue for the fiscal year beginning July 1, 1993, in accordance with the provisions of the General Laws, Chapter 44, Section 4, and to issue a note or notes therefor, payable within one year, and to renew any note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17.

Action taken on 4/26/93.

ARTICLE 7. Voted that the Town authorize a maximum exemption increase of 40 percent for taxpayers qualifying for exemption under M.G.L. Ch. 59, Sec. 17D, 22, 37A, and 41C.

Action taken on 4/26/93.

ARTICLE 8. DEFEATED (Reduction of FY94 Town, School, and Library Budgets)

Action taken on 4/26/93.

ARTICLE 9. Voted unanimously that the Town appropriate \$1,219,845 for the Hampshire County Retirement System Assessment and that to meet such appropriation \$1,077,861 be raised by taxation and \$141,984 be transferred from the Retirement Fund.

Action taken on 4/26/93.

ARTICLE 10. DISMISSED (Personnel Bylaw - Personnel Board Report)

Action taken on 4/26/93.

10:40 p.m. The meeting voted to adjourn to Wednesday, April 28, 1993 at 7:30 p.m. in the auditorium of the Amherst Regional Junior High School. 206 town meeting members were checked in.

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The adjourned session of Wednesday, April 28, 1993 was called to order by the Moderator at 7:35 p.m. 134 town meeting members were present and a quorum was declared.

On April 28, 1993 the General Government motion under Article 11 was considered and action was taken.

ARTICLE 11. Voted that Town adopt a comprehensive operating budget for the ensuing year and raise and appropriate money therefor.

General Government

Voted YES 90, NO 84 that the Town appropriate \$2,396,372 for General Government, that the salary of the Moderator be fixed at \$10, that of the Board of Selectmen at \$300 each, that of the Elector under the Oliver Smith Will at \$20, and that to meet such appropriation \$2,366,372 be raised by taxation and \$30,000 transferred from the Overlay Reserve Account and that an additional \$150,000 be appropriated to support a 2% COLA contingent on a proposition 2 1/2 override.

Action taken on 4/28/93.

10:30 p.m. The meeting voted to adjourn to Monday, May 3, 1993 at 7:30 p.m. in the auditorium of the Amherst Regional Junior High School. 193 town meeting members were checked in.

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The adjourned session of Monday, May 3, 1993 was called to order by the Moderator at 7:40 p.m. 137 town meeting members were present and a quorum was declared.

On May 3, 1993 Article 15, the Water Fund, Sewer Fund, Solid Waste Fund and Debt Service motions under Article 11, Articles 12 and 16 were considered and action was taken.

Public Safety

Voted that the Town appropriate \$4,062,325 for Public Safety, that \$3,790,585 be raised by taxation, that \$256,740 be transferred from Ambulance Receipts Reserved for Appropriation and that \$15,000 be raised by taxation for a paramedic program contingent upon approval of a Proposition 2 1/2 override referendum question.
Action taken on 5/12/93.

Public Works

Voted that the Town appropriate 1,287,537 for Public Works and that to meet such appropriation \$1,173,837 be raised by taxation, \$109,000 be transferred from Parking Meter Receipts Reserved for Appropriation, \$3,500 be transferred from the Cemetery Expendable Trust Fund, and \$1,200 be transferred from the Sale of Cemetery Lots Account.
Action taken on 5/12/93.

Other Environmental

Voted unanimously that the Town appropriate \$274,563 for Other Environmental and that to meet such appropriation \$274,563 be raised by taxation.
Action taken on 5/12/93.

Human Services

Voted YES 96, NO 40 that the Town appropriate \$390,556 for Human Services and that to meet such appropriation \$390,556 be raised by taxation.
Action taken on 5/12/93.

10:35 p.m. The meeting voted to adjourn to Thursday, May 13, 1993 at 7:30 p.m. in the auditorium of the Amherst Regional Junior High School. 177 town meeting members were checked in.

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The adjourned session of Thursday, May 13, 1993 was called to order by the Moderator at 7:40 p.m. 132 town meeting members were present and a quorum was declared.

Christopher B. Pile was nominated and elected temporary clerk for the town meeting session held on Thursday, May 13, 1993 by ballot cast by Chair of the Board of Selectmen with approval of town meeting.

On May 13, 1993 the Culture & Recreation, Library Services and Elementary Schools motions under Article 11 were considered and action was taken. The Debt Service motion under Article 11 was reconsidered and action was taken.

Culture & Recreation

Voted unanimously that the Town appropriate \$308,774 for Culture & Recreation and that to meet such appropriation \$308,774 be raised by taxation.
Action taken on 5/13/93.

Voted YES 97, NO 38 to reconsider Debt Service.
Action taken on 5/13/93.

Debt Service

Voted unanimously that the Town appropriate \$996,640 for payment of principal and interest on the Town's General Fund indebtedness and that to meet such appropriation \$942,540 be raised by taxation and \$54,100 be transferred from the Stabilization Fund.
Action taken on 5/13/93.

Voted YES 84, NO 49 to reconsider Library Services.
Action taken on 5/19/93.

Library Services

Voted that the Town appropriate \$969,100 for Library Services, and that to meet such appropriation \$633,824 be raised by taxation, that \$49,726 be transferred from the State Aid to Library Account, and that \$285,550 be accepted from Jones Library, Inc. Action taken on 5/19/93.

Elementary Schools

Voted that the Town appropriate \$9,948,985 for the Amherst Elementary Schools and to meet such appropriation \$9,589,152 be raised by taxation and \$359,833 be raised by taxation contingent upon approval of a Proposition 2 1/2 override referendum question.

Action taken on 5/13/93.

11:06 p.m. The meeting voted to adjourn to Monday, May 17, 1993 at 8:30 p.m. in the auditorium of the Amherst Regional Junior High School. 174 town meeting members were checked in.

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The adjourned session of Monday, May 17, 1993 was called to order by the Moderator at 8:48 p.m. 169 members were present and a quorum was declared.

On May 17, 1993 the Regional Schools motion under Article 11 was considered and action was taken.

Regional Schools

Voted that the Town appropriate \$5,750,411 as its proportionate share of the operating and capital costs of the Amherst-Pelham Regional School District, and that to meet such appropriation \$5,463,058 be raised by taxation and \$287,353 be raised by taxation contingent upon approval of a Proposition 2 1/2 override referendum question. Action taken on 5/17/93.

10:07 p.m. The meeting voted to adjourn to Wednesday, May 19, 1993 at 7:30 p.m. in the auditorium of the Amherst Regional Junior High School. 182 town meeting members were checked in.

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The adjourned session of Wednesday, May 19, 1993 was called to order by the Moderator at 7:38 p.m. 129 members were present and a quorum was declared.

On May 19, 1993 the Library Services motion under Article 11 was reconsidered and action was taken. The Golf Course Fund motion under Article 11, Articles 17, 18, 19 and 20 were considered and action was taken.

Water Fund

Voted unanimously that the Town appropriate \$839,149 for the Water Fund Operating Budget, \$777,855 for payment of principal and interest on Water Fund debt, \$10,000 for the Insurance Trust Fund, that \$1,597,500 be made available from Water revenues of the current year, and that \$626,096 be made available from Water Fund surplus. Action taken on 5/3/93.

Sewer Fund

Voted unanimously that the Town appropriate \$1,452,827 for the Sewer Fund Operating Budget, \$117,940 for payment of principal and interest on Sewer Fund debt, that \$1,947,110 be made available from Sewer revenues of the current year, and that \$104,555 be made available from Sewer Fund surplus. Action taken on 5/3/93.

Solid Waste Fund

Voted unanimously that the Town appropriate \$396,573 for the Solid Waste Fund Operating Budget, \$841,254 for payment of principal and interest on Solid Waste Fund debt, \$10,000 for the Insurance Trust Fund, \$75,000 for the Landfill Monitoring Trust Fund, \$200,000 for the Cell #3 Closing Fund that \$1,829,700 be made available from Solid Waste revenues of the current year, and that \$646,861 be made available from Solid Waste Fund surplus. Action taken on 5/3/93.

Golf Course Fund

Voted that the Town appropriate \$167,116 for the Golf Course Operating Budget, \$158,160 for payment of principal and interest on Golf Course Fund debt, that \$202,000 be made available from Golf Course revenues of the current year, \$12,308 be made available from Golf Course Fund surplus, and that \$158,160 be raised from taxation. Action taken on 5/19/93.

ARTICLE 12. Voted unanimously that the Town raise and appropriate \$50,000 for the development and coordination of support services essential to the tenants of congregate housing, said program to be fully reimbursed by the Department of Elder Affairs. Action taken on 5/3/93.

ARTICLE 13. Voted unanimously that the Town accept grants from the Pioneer Valley Transit Authority for the operation of fare-free transportation services for people who are elderly and people with disabilities and approve the levying of an assessment by the Commonwealth of Massachusetts for the Town's proportionate share of said service. Action taken on 5/5/93.

ARTICLE 14. Voted that the Town endorse no-fare public transit service for Pine Street, Gatehouse Road, and West Street/Bay Road bus routes and approve the levying of an assessment by the Commonwealth of Massachusetts for the Town's proportionate share of the cost of such services.
Action taken on 5/5/93.

ARTICLE 15. Voted that the Town raise and appropriate \$91,050 for the following Human Services Agencies:

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| Children's Aid and Family Services | 4,000 |
| First Call for Help | 6,000 |
| Hampshire County VNA Senior Health Services | 6,000 |
| Center For Human Development-Helen Mitchell | |
| Family Outreach Project | 10,000 |
| Necessities/Necesidades | 4,000 |
| Northampton Visiting Nurses Association | 4,000 |
| Not Bread Alone | 5,000 |
| Amherst Resource Center-Companion Program | 14,300 |
| Amherst Resource Center-Counseling Program | 8,000 |
| Amherst Survival Center | 10,000 |
| Salvation Army | 1,000 |
| YWCA | 3,000 |
| Everywoman's Center | 2,500 |
| Homesharing in Hampshire County, Inc. | 1,250 |
| After School Tuition Program | 12,000 |

Action taken on 5/3/93.

ARTICLE 16. Voted that the Town raise and appropriate \$3,000 for Amherst Community Television.
Action taken on 5/3/93.

10:06 p.m. The meeting voted to adjourn to Wednesday, May 5, 1993 at 7:30 p.m. in the auditorium of the Amherst Regional Junior High School. 196 town meeting members were checked in.

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The adjourned session of Wednesday, May 5, 1993 was called to order by the Moderator at 7:40 p.m. 129 town meeting members were present and a quorum was declared.

On May 5, 1993 Articles 13, 14, 23, 25, 26, 27, 28 and 29 were considered and action was taken.

ARTICLE 17. Voted that the Town raise and appropriate \$7,000 for consulting services and expenses related to economic development activities, such sum not to be expended until matching funds are secured.
Action taken on 5/19/93.

ARTICLE 18. Voted that the Town support the use of excess and deficiency funds, held by the Amherst-Pelham Regional School Committee, for the purpose of architectural design and related costs to expand and renovate the Regional Senior High School.
Action taken on 5/19/93.

ARTICLE 19. DISMISSED (Capital Program - Elementary Schools)
Action taken on 5/19/93.

ARTICLE 20. a. Voted unanimously that the Town appropriate \$111,900 for the following:

- \$ 7,400 for replacement of echo recorders for the Public Safety Communications Center
- \$ 13,500 for repeater/antenna system for the Public Safety Communications Center
- \$ 7,500 for replacement of diazo/blueprint machine
- \$ 5,000 for restoration of archival records by the Town Clerk's office
- \$ 13,000 for E911 interface software
- \$ 36,000 for replacement of police cruisers (2)
- \$ 4,500 for replacement of a water heater at the Mill River Pool bathhouse
- \$ 25,000 for diesel air exhaust system for the Fire Department

and that to meet such appropriation \$111,900 be transferred from the Stabilization Fund.
Action taken on 5/19/93.

c. (1) Voted that the Town appropriate \$14,000 for replacement of a greens mower for Cherry Hill and that to meet such appropriation \$14,000 be transferred from the Golf Course Fund Surplus.

Action taken on 5/19/93.

c. (2) Voted that the Town appropriate \$10,000 for pavement of the Cherry Hill parking lot and that to meet such appropriation \$10,000 be transferred from the Golf Course Fund Surplus.

Action taken on 5/19/93.

d. DISMISSED (Replacement of Ambulance)

Action taken on 5/19/93.

11:11 p.m. The meeting voted to adjourn to Monday, May 24, 1993 at 7:30 p.m. in the auditorium of the Amherst Regional Junior High School. 165 town meeting members were checked in.

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The adjourned session of Monday, May 24, 1993 was called to order by the Moderator at 7:41 p.m. 129 town meeting members were present and a quorum was declared.

On May 24, 1993 Articles 21, 22, 24 and 30 were considered and action was taken.

ARTICLE 21. a. Voted unanimously that the Town appropriate \$100,000 for Town Hall roof, masonry, and window repairs and that to meet such appropriation \$64,000 be transferred from Article 12 (FY92, Fort River Roof borrowing proceeds) and \$36,000 be transferred from the Stabilization Fund.

Action taken on 5/24/93.

b. Voted that the Town appropriate \$85,000 for redesign of the Town Hall Renovation Plans to be added to Article 3 (6/92, Town Hall Architecture Design) and that to meet such appropriation \$60,000 be transferred from Article 12 (FY92, Fort River Roof debt service) and \$25,000 be transferred from the Stabilization Fund, and further to authorize the application for and acceptance of any gifts, bequests, or grants from the Commonwealth of Massachusetts or otherwise and further to authorize the Treasurer to borrow in anticipation of reimbursement for said grants.

Action taken on 5/24/93.

ARTICLE 22. a. Voted unanimously that the Town appropriate \$15,000 to assist the Department of Food and Agriculture, Commonwealth of Massachusetts, with the purchase of Agricultural Preservation Restrictions on farms in Amherst and that to meet such appropriation \$15,000 be transferred from the Stabilization Fund.

Action taken on 5/24/93.

b. Voted unanimously that the Town appropriate and transfer \$15,024.61 from Article 43 (FY87) and \$4,975.39 from Article 28 (FY88) for Agricultural Preservation Restrictions support in the aquifer recharge or watershed areas.

Action taken on 5/24/93.

c. Voted unanimously that the Town appropriate \$2,300 for materials for Mill River bridge repairs and that to meet such appropriation \$2,300 be transferred from the Stabilization Fund.

Action taken on 5/24/93.

ARTICLE 23. Voted unanimously that the Town authorize expenditure of \$225,000 of Chapter 90 funds for roadway improvements to Station Road.

Action taken on 5/5/93.

ARTICLE 24. DISMISSED (Free Cash)

Action taken on 5/24/93.

ARTICLE 25. Voted unanimously:

a. that the Town appropriate \$165,000, in the Fiscal Year 1993, to modify the clearwell at the Centennial Water Treatment Plant to meet the requirement of the Environmental Protection Administration under the Surface Water Treatment Rule and that to meet such appropriation \$1,366.03 be transferred from Article 29 (FY88), \$21,317.85 be transferred from Article 13 (10/89), \$101,588.11 be transferred from Article 9 (5/85) and \$40,728.01 be made available from Water Fund Surplus.

b. that the Town amend action taken under Article 17 (April, 1991, \$125,000) by appropriating an additional \$25,000, in the Fiscal Year 1993, for the repair of Hawley Dam and that to meet such appropriation \$25,000 be made available from Water Fund Surplus.

Action taken on 5/5/93.

ARTICLE 26. Voted unanimously that the Town appropriate \$112,000 for the following Wastewater Treatment Plant improvements:

\$ 50,000 to replace a comminutor

\$ 12,000 to paint one clarifier and aeration tank

\$ 50,000 to supplement Massachusetts Department of Energy and Northeast Utilities grants to update equipment and lighting for energy conservation purposes

and that to meet such appropriation \$112,000 be transferred from Article 17 FY91 (\$147,000 sewage pump station gas detector and control systems).

Action taken on 5/5/93.

ARTICLE 27. Voted unanimously that the Town appropriate \$22,000 to construct a sanitary sewer on Mill Street and that to meet such appropriation \$8,467.24 be transferred from Article 28 (1974), \$12,585.07 be transferred from Article 5 (FY85), and that \$947.69 be made available from sewer revenues of the current year.

Action taken on 5/5/93.

ARTICLE 28. Voted that "Town Meeting directs the Selectboard and Town Manager to immediately file a lawsuit against UMASS at Amherst, for a cost not to exceed \$10,000, to recover \$203,000 in misrouted moving ticket violation monies. Furthermore, Town Meeting directs the town attorney to also seek interest payments retroactive to original date of debt plus all attorneys fees incurred over this litigation."

Action taken on 5/5/93.

ARTICLE 29. DISMISSED (Financial Articles - Amherst Citizens for Responsible Government)

Action taken on 5/5/93.

10:40 p.m. The meeting voted to adjourn to Wednesday, May 12, 1993 at 7:30 p.m. in the auditorium of the Amherst Regional Junior High School. 182 town meeting members were checked in.

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The adjourned session of Wednesday, May 12, 1993 was called to order by the Moderator at 7:30 p.m. 141 town meeting members were present and a quorum was declared.

On May 12, 1993 the Public Safety, Public Works, Other Environmental and Human Services motions under Article 11 were considered and action was taken.

ARTICLE 30. Voted YES 89, NO 60 that the town meeting recommend that the Selectboard place before the voters as individual override menu items the following contingent appropriations voted by town meeting;

\$150,000 - 2% cost of living increase to town employees

\$15,000 - net additional cost of EMT program

\$287,000 - for Regional Schools

\$359,000 - for Elementary Schools

and such other school budget override tiers as may be mutually agreeable to the Selectboard and School Committee.

Action taken on 5/24/93.

The business of the warrant having been completed, the meeting voted to dissolve at 9:28 p.m. 159 town meeting members were checked in.

Attest:

Margaret Z. Nartowicz
Assistant Town Clerk